

Packet No.: ENDICOR.5CP1D1

Customer No.: 20,995

**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321**

Applicant : Honeycutt, et al.  
App. No : 09/737,165  
Filed : December 14, 2000  
For : ROTATIONAL ATHERECTOMY  
DEVICE  
Examiner : Kevin T. Truong  
Art Unit : 3731

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 3, 2004

(Date)

James W. Hill, M.D., Reg. No. 46,396

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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*Disclaimer by Assignee*

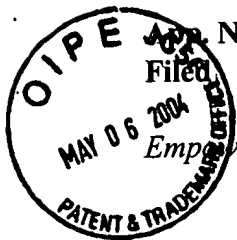
Assignee, ENDICOR MEDICAL, INC. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,001,112, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the instant application and U.S. Patent No. 6,001,112 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent No. 6,001,112, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

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*Empowerment of Attorney & Right of Assignee to Take Action*

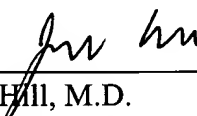
Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney in the parent case, Application No. 09/260,199, a copy of which is attached. Additional Statements Under 3.73(b) are provided as needed to show co-ownership of the above-referenced application and that application/patent over which disclaimer is being made.

This Terminal Disclaimer is accompanied by the \$110 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR

Date: May 3, 2004

  
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